



Entered on Docket
January 27, 2009

A handwritten signature in black ink, appearing to read "R. B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

Case Nos.:
BK-S-06-10725-LBR
BK-S-06-10726-LBR
BK-S-06-10727-LBR
BK-S-06-10728-LBR
BK-S-06-10729-LBR

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

JOINTLY ADMINISTERED
Chapter 11 Cases

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC,
Debtor.

Judge Linda B. Riegle

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

In re:
USA SECURITIES, LLC,
Debtor.

**ORDER GRANTING
MOTION TO FILE
DOCUMENTS UNDER SEAL**

Affects:
 All Debtors
 USA Commercial Mortgage Company
 USA Capital Realty Advisors, LLC
 USA Capital Diversified Trust Deed Fund, LLC
 USA Capital First Trust Deed Fund, LLC
 USA Securities, LLC

ORDER GRANTING MOTION TO FILE DOCUMENTS UNDER SEAL

By oral motion, Geoffrey Berman, Trustee of the USACM Liquidating Trust (the “USACM Trust”), Michael Tucker, Manager of the USA Capital Diversified Trust Deed Fund, LLC (“DTDF”), and Piercy, Bowler, Taylor & Kern, PC (“PBTK”) (collectively, the “Parties”)

**ORDER GRANTING MOTION TO
FILE DOCUMENTS UNDER SEAL**

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1 moved this Court to allow certain documents to be filed under seal, including: (a) the *Settlement*
2 *Agreement, Mutual Release, and Covenants* between the Parties (the “Settlement Agreement”);
3 (b) the amendment thereto (the “Amendment”); and (c) the affidavit of Mr. Richard Bowler
4 discussing the financial condition and insurance coverage of PBTK (the “Affidavit”). After
5 considering the motion, evidence, and arguments of counsel, this Court is of the opinion that
6 good cause exists to grant the Motion under Federal Rule of Bankruptcy Procedure Rule 9018. It
7 is therefore,

8 ORDERED that the USACM Trust and DTDF’s Motion to File Documents Under Seal is
9 GRANTED; and it is further,

10 ORDERED that the USACM Trust and DTDF may file the Settlement Agreement, the
11 Amendment, and the Affidavit under seal; and it is further,

12 ORDERED that this Court will retain jurisdiction to interpret and enforce this Order.

1 CERTIFICATION PURSUANT TO LOCAL RULE 9021

2 In accordance with LR 9021, counsel submitting this document certifies as follows

3 (check one):

4 _____

The court has waived the requirement of approval under LR
9021

5 _____

No parties appeared or filed written objections, and there is no
trustee appointed in the case.

6 X _____

I have delivered a copy of this proposed order to all counsel, any
unrepresented parties who appeared at the hearing, and any
trustee appointed in this case, and each has approved or
disapproved the order, or failed to respond, as indicated below
[list each party and whether the party has approved, disapproved,
or failed to respond to the document.]

11 Vincent O'Gara Approved

12 Tim O'Reilly Failed to Respond

13 DATED: January 22, 2009

15 _____
16 /s/ *J. Maxwell Beatty*
J. Maxwell Beatty

17 # # #